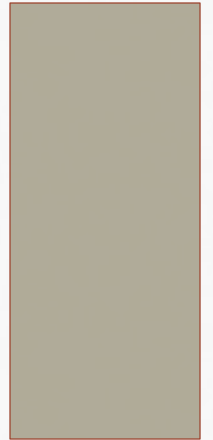


PEAR TREE LLAMA

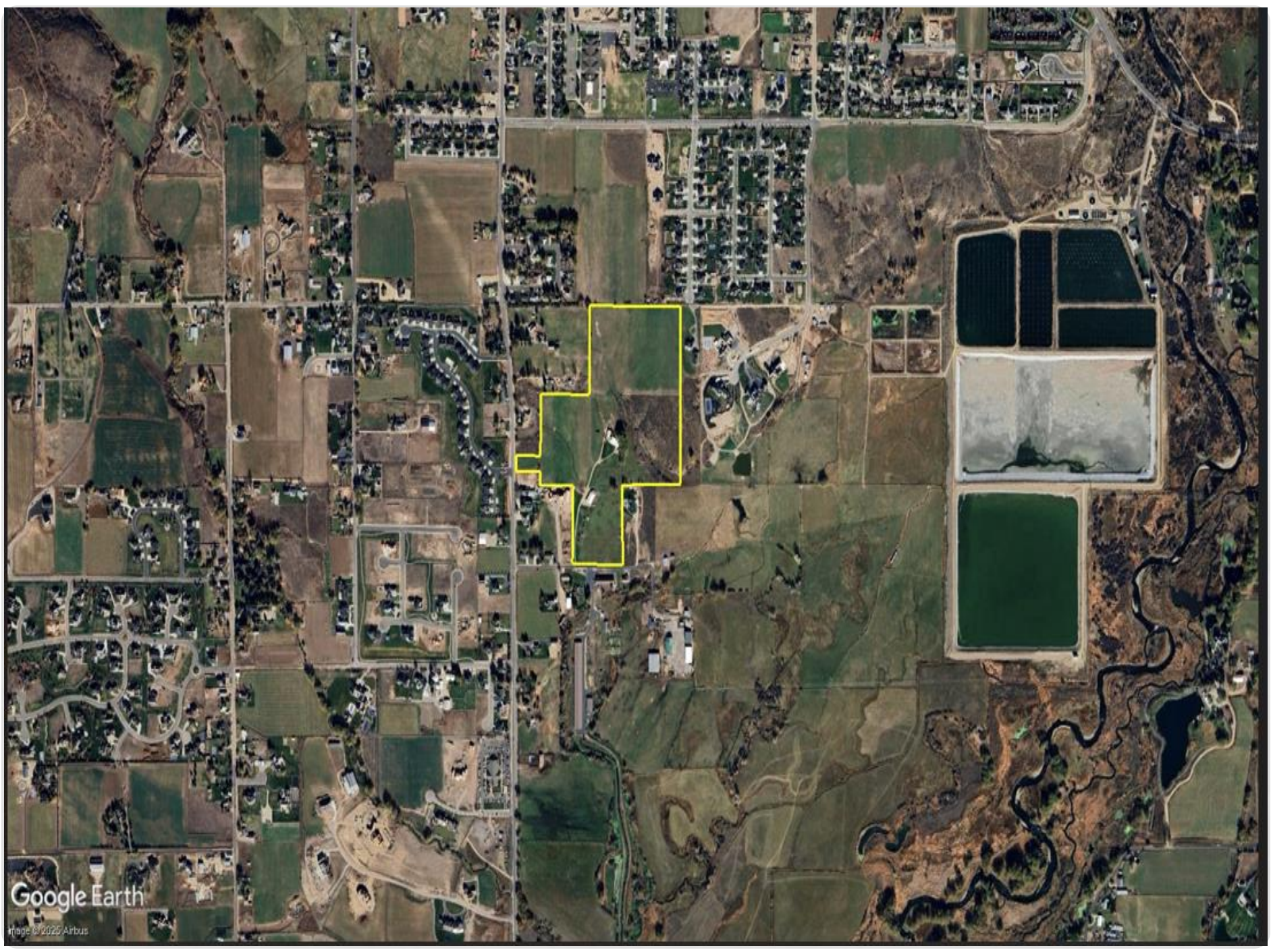
OPEN SPACE

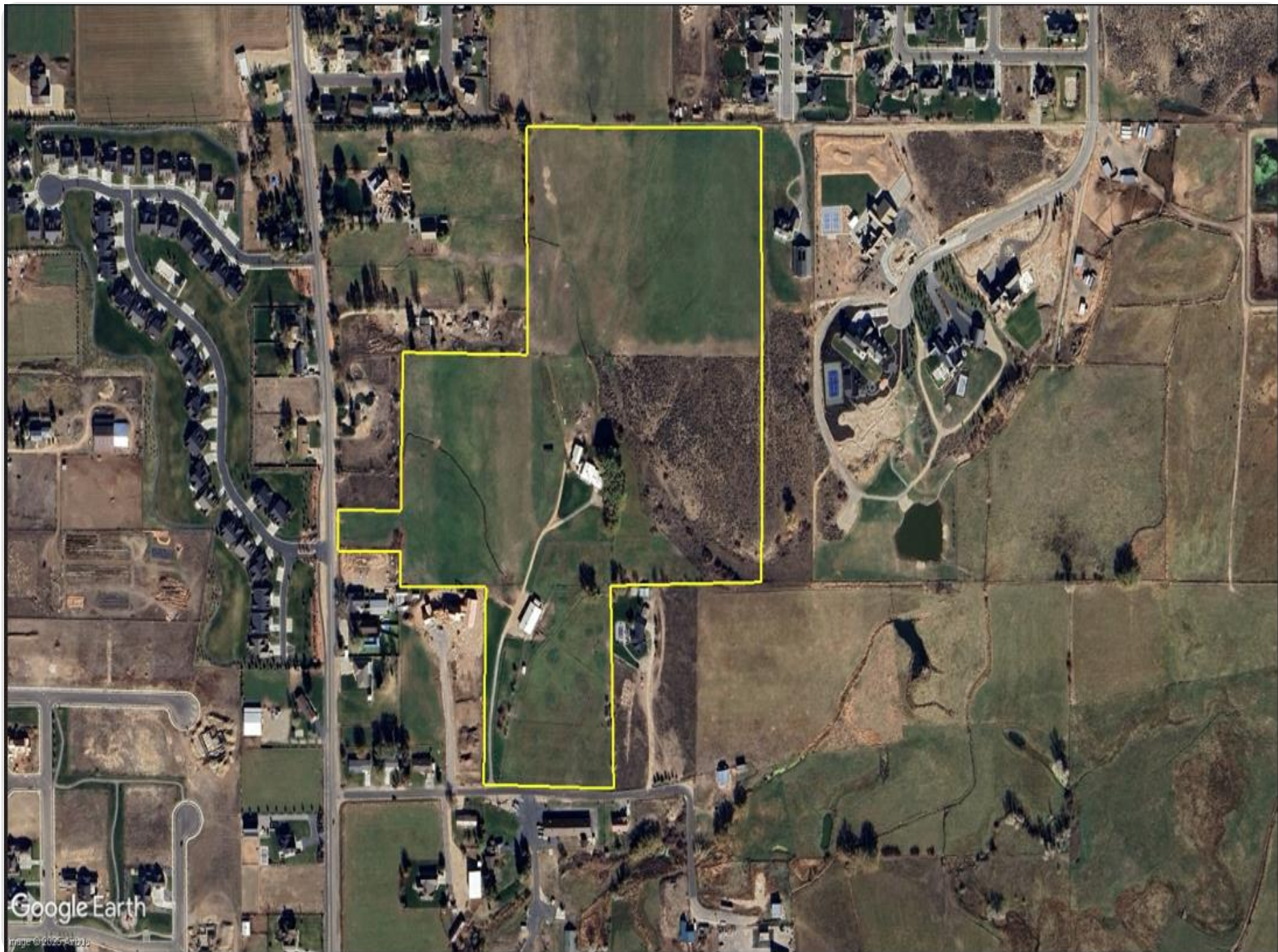


OPEN SPACE BOND FUNDING REQUEST

- Utah Open Lands, on behalf Pear Tree Llamas, is requesting \$750,000 from the Midway Open Space Bond funds to help fund a conservation easement on approximately 40 acres of property located at or about 105 East 850. The property is in Wasatch County. None of the property lies within Midway City limits, but all of the property falls within the Midway Growth Boundary (annexation area) and may be considered for funding.







LAND SUMMARY

- Applicants are Cathleen and Gerald White, as trustees of the Gerald L. and Cathleen F. White Living Trust.
- Notice of Interest dated March 31, 2025.
- 39.56 acres.
- Single family home dates to 1962.
- Raised and grazed llamas since 1997.
- Lease 18 acres to Kohler Dairy for grazing of 50 head of cattle.
- Home to deer, red and silver fox, sandhill cranes, rabbits, skunk, marmots, active beehives.
- Black willow and big sagebrush.







ESTIMATED VALUE (NOT APPRAISAL VALUE)

- Utah Open Lands estimates market value of the proposed conservation easement (not appraisal) if \$6,500,000.00.
- The owners intend to make a 25% owner donation, or \$1,624,000.

- As to the remaining purchase price of \$4,875,000:

Request from Midway Bond Funds	\$750,000
Committed funds County Bond	\$750,000
LeRay McAllister/UOL North Fields	\$125,000
Secured but Frozen Fed. Funds	<u>\$3,250,000</u>
	\$4,875,000

REVIEW

- Vision:
- “The Community Vision Statement sets a goal for Midway “to be a beautiful, organized small town community based on its distinct history of agriculture, open space and recreation”. (Goal 1, Community vision Goals and Guidelines). Guideline 5 seeks to implement this goal by “Encouraging the preservation of prime agricultural land and open space within Midway and the surrounding valley”.

MEETING GOALS

- *Preservation of the 40 acre Pear Tree Llama property preserves scenic viewsheds along the Wasatch Mountains and Heber Valley.*
- *The property will continue usage as a farm, with livestock grazing, haying, and related uses.*
- *The property is separated by 850 South from the Utah Division of Wildlife Resources fish hatchery, which in turn abuts the approximately 40 acre parcel Midway City received from Kem Gardner, located along 113 south, which is protected by a conservation easement.*
- *Per the application, “Pear Tree Llamas is an actively managed agricultural property, supporting both llamas grazing and cattle operations. The Property sustains 10 llamas while providing 18 acres of leased pastureland to the Kohler Family, who graze 50 head of cattle. Its open, undeveloped landscape directly off hwy 113 offers unobstructed scenic views that contribute to the rural charm and identity of Midway. By preserving this Property, we can ensure a vital piece of Midway's agricultural heritage remains intact, preventing the encroachment of development that would diminish the area's open space and pastoral quality. Its proximity to the Midway Fish Hatchery further enhances the ecological and visual continuity of conserved lands.”*

EFFECTIVE OPEN SPACE

- The Open Space Element cites four design objectives requiring use of open space tools. They are;
 1. Preserving Inter-City Space,
 2. Preserve Midway's Unique Character,
 3. Create Local Neighborhood "Openness", and
 4. Providing Public Recreation Venues.

MEETING GOALS

- *The grazing and hayfields are under greenbelt protection.*
- *The property is separated by 850 South from the Utah Division of Wildlife Resources fish hatchery, which in turn abuts the approximately 40 acre parcel Midway City received from Kem Gardner, located along 113 south, which is protected by a conservation easement, as shown on the attached maps.*
- *Adjacent land is zoned residential, and other parcels are being subdivided for residential uses. Preserving these 39.56 acres will mitigate the density created by these developments.*
- *Should this land be developed for residential purposes, we estimate that between 30 and 33 single family homes or multi-family as part of a Planned Unit Development could be constructed on the buildable areas of the 39.56 acres located in the Midway Growth Boundary, adding significantly to the density, infrastructure requirements, and demand for City/County services.*
- *In addition to the use of the land by livestock, this property serves as a significant wildlife habitat, providing nesting locations for various birds, safe locations for deer and elk to graze, ditches, and passage for many other species of wildlife.*

MEETING GOALS CONT.

- *Per the application, “Located within the former Midway annexation boundary and increasingly surrounded by residential development, Pear Tree Llamas’ 39.56 acres of open space serve as a critical buffer against the pressures of urban expansion. As Midway continues to experience growth, this Property plays a vital role in maintaining the area’s rural character by preventing further fragmentation and preserving the agricultural landscape. Adjacent to the Midway Fish Hatchery, the Property helps to connect existing conserved lands, reinforcing a larger network of protected open space. Without the commitment to conservation, this land would likely follow the same trajectory as neighboring open spaces, transitioning into 1-acre residential lots”.*
- *Per the application, the owners are open to public and trail access, with conditions to protect the ongoing agricultural use of the property.*

IDENTIFYING & ACQUIRING OPEN SPACE

- “Open space acquisition or preservation proposals must be evaluated with the benefit of the citizens of Midway in mind.”

MEETING GOALS

- *Because of the elevated location of much of the property, it is prominently seen from many vantage points in Midway and from around the entire Heber Valley.*
- *The views from Midway and the Heber Valley materially contribute to Midway's reputation as an attractive tourist destination, an important part of our local economy.*
- *The continued operation of the property with its production of hay and livestock provides economic benefits to Midway and its citizens.*
- *As one of an ever dwindling number of agricultural operations operating in the Midway area, an area noted for its agricultural history, losing the property to development will result in a permanent and significant loss of an important aspect of the Valley's legacy.*
- *Per the application, "The Property is located directly off hwy 113, Midway City's Center Street, making it highly visible open space. It can be seen from nearby trails, roads, and residential areas, contributing to the scenic character of the community. Any future development of the Property would permanently alter Midway's bucolic landscape, diminishing the visual appeal for residents and visitors alike".*

IDENTIFYING & ACQUIRING OPEN SPACE

- “Where possible and practical, the City will work with other organizations, agencies, groups, and individuals who will share the costs of open space preservation projects.”

ESTIMATED VALUE (NOT APPRAISAL VALUE)

- Utah Open Lands estimates market value of the proposed conservation easement (not appraisal) if \$6,500,000.00.
- The owners intend to make a 25% owner donation, or \$1,624,000.
- As to the remaining purchase price of \$4,875,000:

Request from Midway Bond Funds	\$750,000
Committed funds County Bond	\$750,000
LeRay McAllister/UOL North Fields	\$125,000
Secured but Frozen Fed. Funds	<u>\$3,250,000</u>
	\$4,875,000

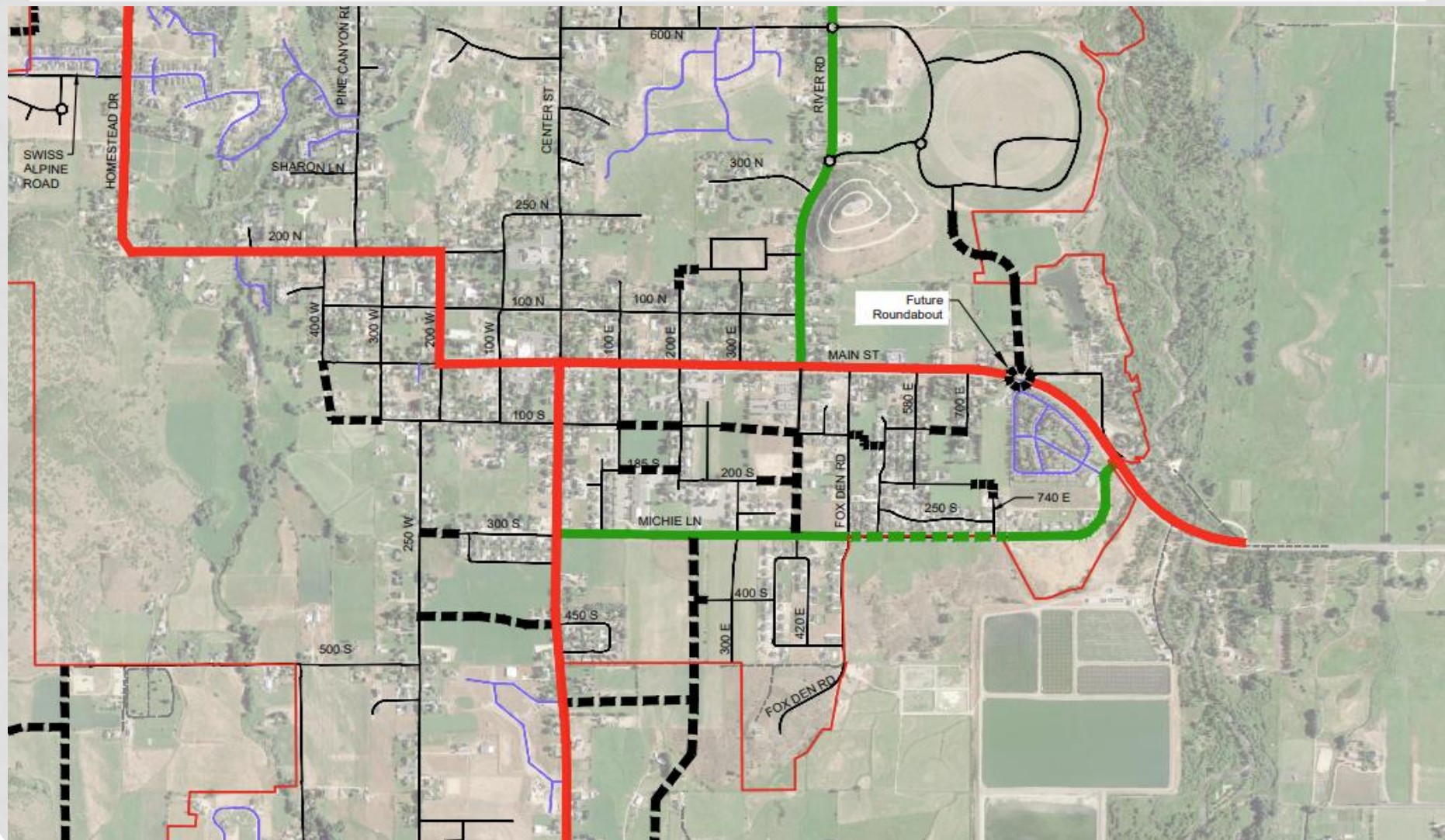
LEVERAGING

- Based on the numbers supplied to date, \$750,000 in Midway bond funds would be leveraged at a ratio of **7:1**

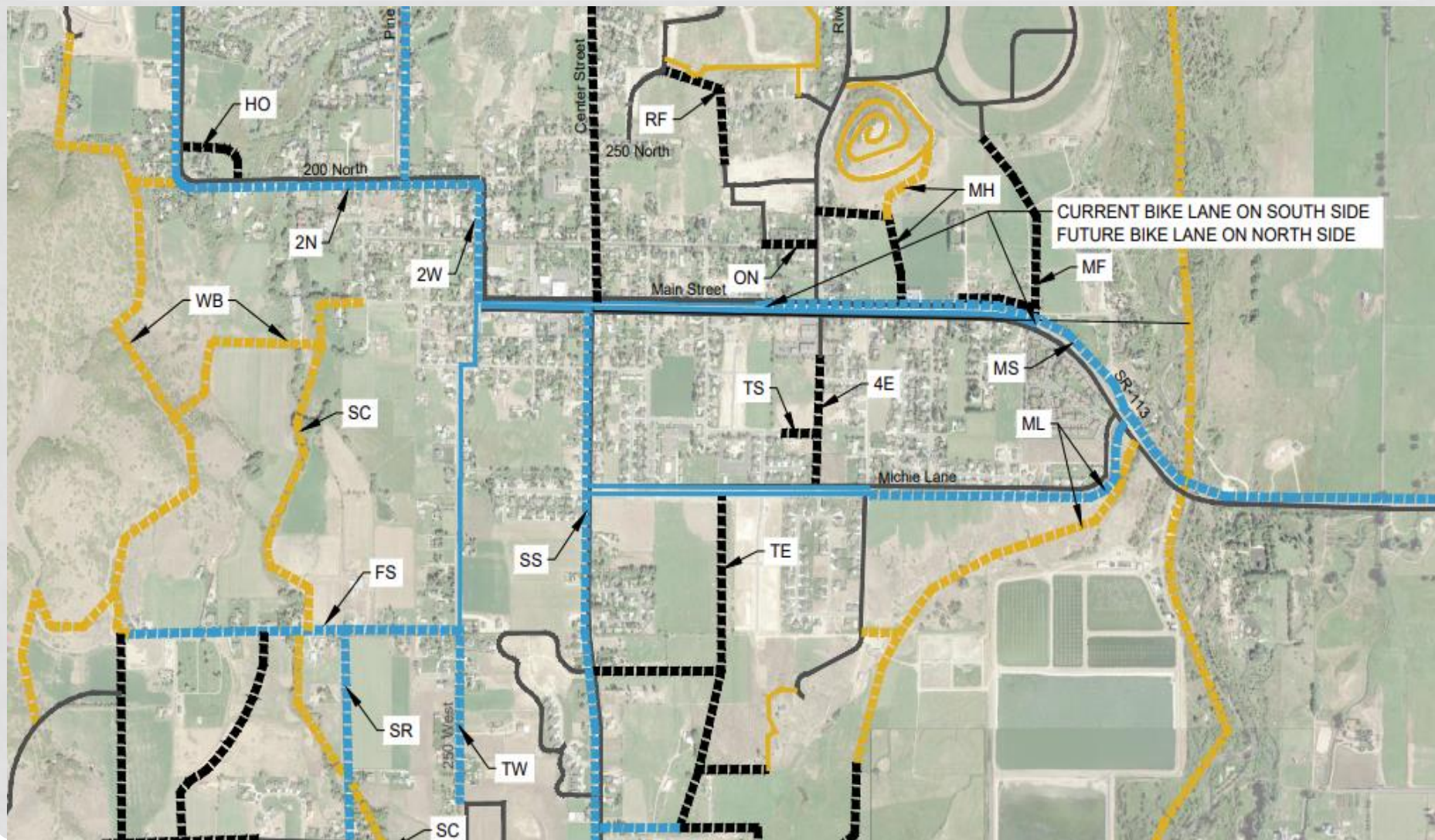
DISCUSSION

- Midway's Master Street Plan shows a future road planned across the property that would connect 850 South to Michie Lane. If the property is encumbered with a conservation easement such that it will not be developed, this should render the need for such road moot and the master plan should be amended to remove this future road.
- The information provided by the Applicants states that the community will benefit because of possible public trail access that would connect to existing transportation routes or the existing trail network. The Applicants have provided a map showing the proposed eastern trail alignment approved by the Applicants. This trail would follow the eastern boundary of the property north from 850 South, and then east along the southeast boundary of the. A copy of the map is attached.

MASTER ROAD PLAN

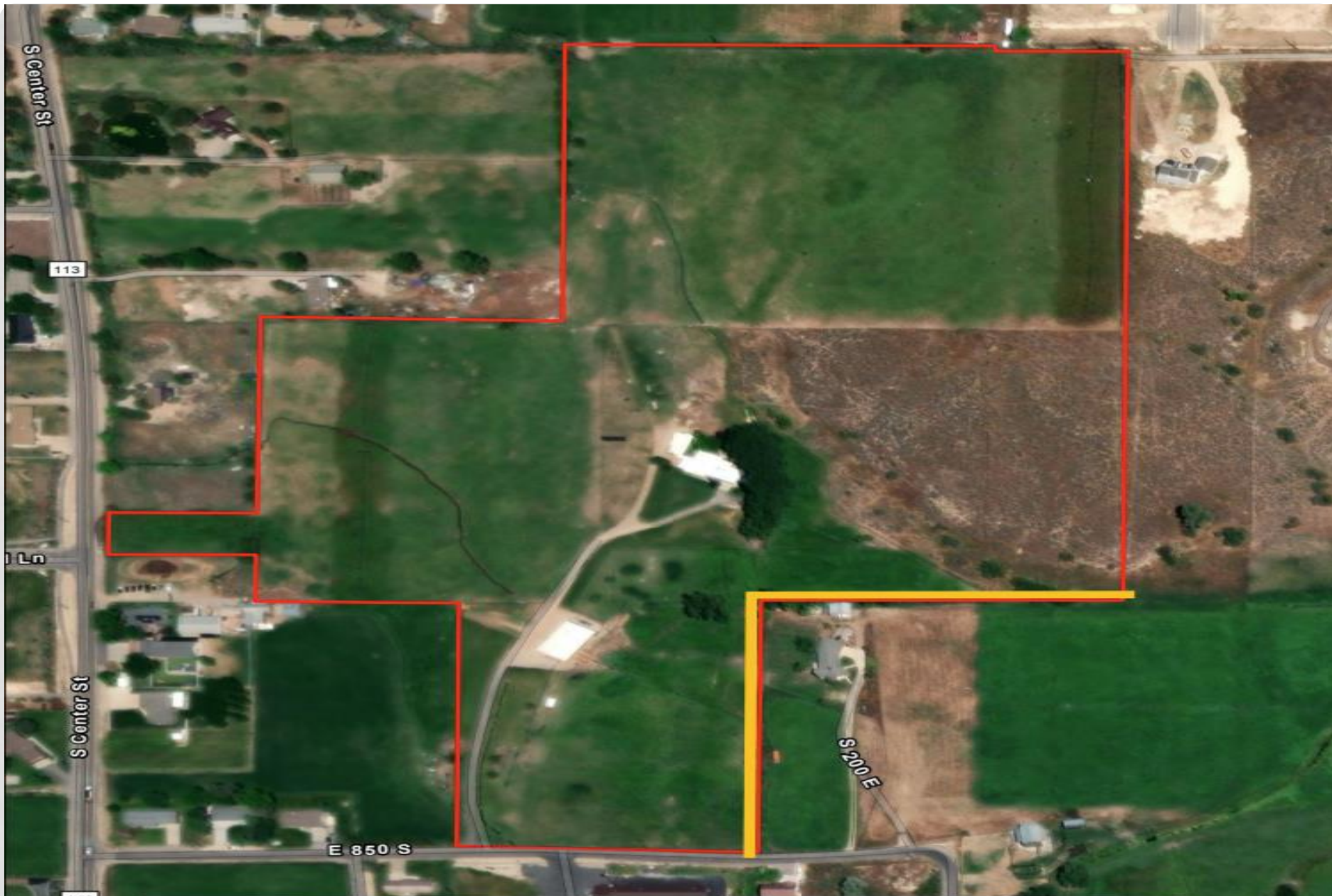


MASTER TRAIL PLAN



DISCUSSION CONT.

- The Applicants will provide a 10 foot easement to the City for the trail. This easement would be provided and recorded at the time the conservation easement is recorded. The Applicants will provide a metes and bounds description for the easement, which will follow the eastern trail alignment shown on the referenced map. This trail location will replace the trail shown on the Master Trail Plan which followed the planned road. If the property is conserved, the Master Trail Plan should be amended accordingly.
- Per the application, twenty-four (24) water shares will be encumbered with the conservation easement. This would have to be incorporated into any purchase and sale agreement and conservation easement document(s).





Pear Tree Llamas Aerial View



Cartographer: Wood Robinson
January 2025

Source: Maxar, Microsoft, Sources: Esri, TomTom, Garmin, FRC, NOAA, USGS, © OpenStreetMap contributors, and the
GNSS User Community

 Pear Tree Llamas Farm
 Proposed Trail Alignment

0 0.25 Miles

This map is for informational purposes only.
It is not intended for any official legal, engineering,
surveying, planning, or other precise purposes.
All locations are relative.



MIDWAY OPEN SPACE COMMITTEE RECOMMENDATION

- At its regularly scheduled meeting held June 4, 2025, the Midway Open Space Committee made the following recommendation:
- **Motion** by Woody Woodruff to recommend that the City Council review and commit up to Seven Hundred and Fifty Thousand Dollars (\$750,000) of the Midway open space bond funds toward placement of a conservation easement on the 39.56 acres owned by the Gerald L. and Cathleen F. White Living Trust and known as Pear Tree Llamas, located at or about 105 East 850 South, Wasatch County, not within Midway City but within the Midway Growth Boundary (annexation area), accepting the findings set forth in the staff report dated May 14, 2025, and conditioned upon the conditions set forth in the May 14, 2025, staff report, which are adopted hereby.
- **Seconded** by Steve Stevens and unanimously approved by members Courtland Nelson, Steve Stevens, Glen Lent, Woody Woodruff, and Jared Neal.

POSSIBLE FINDINGS

1. This project and funding request are consistent with the vision of the Open Space Element of the General Plan.
2. The committed funds from Wasatch County and from other potential sources will maximize Midway's contribution through leveraging, and the continuation of an important agricultural business is an added benefit.
3. The project is visible from much of Midway and from many areas of the Heber Valley.
4. Preservation will keep valuable agricultural land as open space and the farm will continue to provide grazing and agricultural products to the community.
5. Because significant acreage is leased to other agricultural operations, such as the Kohler Dairy, preservation may help preserve other open space conservation areas.
6. Preservation will help provide a buffer between Midway and county land to the east.
7. Preservation of this parcel adjacent to the Midway Fish Hatchery, which is in turn adjacent to City land obtained from Kem Gardner encumbered by a conservation easement, would help to connect existing conserved lands and reinforce a larger network of protected open space.

FINDINGS CONTINUED

8. Preservation would help protect native grasslands and Big Sagebrush, as well as provide habitat for wildlife including sandhill crane, red and silver fox, deer, skunk, marmots, and an active beehive.
9. Conservation may render the need for a planned road between 850 S and Michie Lane (as set forth in Midway's Master Street Plan) unnecessary, resulting in cost savings for both installation and ongoing maintenance.

PROPOSED CONDITIONS

1. Midway's Master Street Plan shows a future road planned across the property that would connect 850 South to Michie Lane. If the property is encumbered with a conservation easement such that it will not be developed, this should render the need for such road moot and the master plan should be amended to remove this planned road.
2. 24 water shares will be encumbered by the conservation easement, which shall be incorporated into any purchase and sale agreement and conservation easement document(s).
3. Midway's Master Trail Plan shows a future paved trail running from 850 South to Michie Lane along the east side of the Pear Tree Llamas property. If the property is encumbered with a conservation easement, the master plan should be amended to replace this trail with the proposed eastern trail alignment depicted on the attached map which follows the eastern and southeastern property boundaries and has been approved by the Applicants. The Applicants request that the trail is not constructed or open to public use until the Applicants' death or sale of the property, whichever is sooner. It is recommended the easement provided by the Applicants to the City for the trail be ten feet in width, in light of the agricultural use of the property, location of sagebrush field, etc., with the Applicants to provide a metes and bounds description for a ten foot easement following the alignment shown on the attached map, with a draft easement submitted for approval by the City, and the trail easement to be recorded at the time the conservation easement is recorded.

ALTERNATIVE ACTIONS

1. Recommendation of Approval. This action can be taken if the City Council finds that the proposed language is an acceptable amendment to the City's Municipal Code.
 1. Accept the staff report
 2. List accepted findings
2. Continuance. This action can be taken if the City Council would like to continue exploring potential options for the amendment.
 1. Accept the staff report
 1. List accepted findings
 2. Reasons for continuance
 3. Unresolved issues that must be addressed
 4. Date when the item will be heard again.
3. Recommendation of Denial. This action can be taken if the City Council finds that the proposed amendment is not an acceptable revision to the City's Municipal Code.
 1. Accept the staff report
 2. List accepted findings
 3. Reasons for denial

OPEN SPACE FUNDS

BOND #1

Item	Amount	Note
Bond #1	\$5,027,474.24	
Interest	\$363,402.48	
Total	\$5,390,876.72	
Balance	\$5,390,876.72	

PAID

Item	Amount	Note
Albert Kohler Dairy	-\$1,000,000.00	
Mountain Spa	-\$1,500,000.00	
Kem Gardner (South Center Street)	\$0.00	Donation (No open space funds used.)
Kem Gardner (West Main Street)	-\$1,000,000.00	
IRS Payment	-\$110,550.00	
Total	-\$3,610,550.00	
Balance	\$1,780,326.72	

OPEN SPACE BOND FUNDS (CONT.)

COMMITTED

Item	Amount	Note
Heart of Midway	-\$250,000.00	Additional funds may be requested.
Lundin	-\$1,000,000.00	
Michel / Kissel	-\$250,000.00	
Total	-\$1,500,000.00	
Balance	\$280,326.72	

REQUESTED

Item	Amount	Note
Pear Tree Llama Ranch	-\$750,000.00	
Total	-\$750,000.00	
Balance	-\$469,673.28	

BOND #2

Item	Amount	Note
Bond #2	\$5,000,000.00	
Total	\$5,000,000.00	
Balance	\$4,530,326.72	